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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,321	01/31/2001	Greg Arnold	PALM-3564.US.P	9217
49637	7590	07/15/2005	EXAMINER	
BERRY & ASSOCIATES P.C. 9255 SUNSET BOULEVARD SUITE 810 LOS ANGELES, CA 90069			CHOW, MING	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,321

Applicant(s)

ARNOLD ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings are objected to because proper legends were missing. A proposed drawing correction or corrected drawings are required in reply to the Office Action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. See CFR 1.84 (o).

Claim Objections

2. Claims 24, 25, 26 recite "said particular activity". There is insufficient antecedent basis for this limitation in the claim.

3. Claim 26 recites "said selected routing profiles" (plural). There is insufficient antecedent basis for this limitation in the claim. Claim 23 recites on line 7 "a selected routing profile" (singular).

4. Claim 27 recites "said active profiles". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al (US: 6584490), in view of Podwalny et al (US: 5644516), and in view of Albal (US: 6668046).

Regarding claims 23, 26, 28, 29, 30, Schuster et al teach on column 7 line 16-19, column 19 line 49, a PDA (claimed "palmtop computer") includes an appointment application.

Schuster et al failed to teach "outputting an alarm", "an acceptance of said alarm". However, Podwalny et al teach on column 1 line 16-17, column 3 line 17-22, a visible message (claimed "alarm") reports an upcoming appointment and acknowledgement of the alarm are received on a PDA.

It would have been obvious to one skilled at the time the invention was made to modify Schuster et al to have the "outputting an alarm" and "an acceptance of said alarm" as taught by Podwalny et al such that the modified system of Schuster et al would be able to support the system users conveniences of generating alarms to the user and accepting the alarms by the user.

Schuster et al failed to teach "outputting a plurality of routing profiles" and "receiving a selected routing profile". However, Albal teaches on column 3 line 10 to column 4 line 28, a user

Art Unit: 2645

performs obtaining telephone numbers (reads on claimed “receiving a selected routing profile”, “active profiles” of claim 26, “destination phone number” of claim 28, “a group of phone numbers” of claim 29, and “a source phone number” of claim 30) in response to receiving reminders (claimed “date book alarm”) from the network at the PDA (see column 3 line 19-20). The telephone numbers (claimed “routing profiles”) must be output for the user to select.

It would have been obvious to one skilled at the time the invention was made to modify Schuster et al to have the “outputting a plurality of routing profiles” and “receiving a selected routing profile” as taught by Albal such that the modified system of Schuster et al would be able to support the system users conveniences of generating profiles for the user to select.

Schuster et al teach on column 8 line 30-38, downloading the profile (claimed “outputting said selected routing profile”) to the voice communication device (claimed “telephone server” of claim 26) to take calls as directed by the user.

Regarding claim 27, all rejections as stated in claim 23 above apply.

Schuster et al teach an appointment application (reads on claimed “receiving a new appointment”).

Schuster et al teach on Fig. 13, a form of routing profile.

6. Claims 24, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al, in view of Podwalny et al, and further in view of Albal, and further in view of Payne et al (US: 6735614).

Art Unit: 2645

The modified system of Schuster et al in view of Podwalny et al, further in view of Albal as stated in claim 23 above failed to teach "an audio alert". However, Payne et al teach on column 2 line 30-32, a personal assistant initiates a visual or an audio alert.

It would have been obvious to one skilled at the time the invention was made to modify Schuster et al in view of Podwalny et al, further in view of Albal to have the "an audio alert" as taught by Payne et al such that the modified system of Schuster et al in view of Podwalny et al, further in view of Albal would be able to support the system users conveniences of generating an audio or visual alert.

Response to Arguments

7. Applicant's arguments filed on 4/19/05 have been fully considered.
 - i) New grounds of rejections necessitated by amendments have been stated above.

Conclusion

Art Unit: 2645

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Application/Control Number: 09/775,321

Page 7

Art Unit: 2645

Commissioner of Patents and Trademarks


Washington, D.C. 20231

Or faxed to Central FAX Number 703-872-9306.

Patent Examiner

Art Unit 2645

Ming Chow

A handwritten signature in a circle, appearing to be the initials 'MC'.A large, stylized handwritten signature in black ink.

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600